

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

KAMEL BURRIS,

Movant,

v.

Case No. 3:16-05693

Case No. 3:14-00067

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court lift the stay, reinstate this matter to the active docket, deny Defendant's Emergency Motion to Correct Sentence under 28 U.S.C. § 2255 (ECF No. 21) and his Supplemental Motions (ECF Nos. 26 and 32), and dismiss this civil action from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **LIFTS** the stay, **REINSTATES** this matter to the active docket, **DENIES** Defendant's Emergency Motion to Correct Sentence under 28 U.S.C. § 2255 (ECF No. 21) and his Supplemental Motions (ECF Nos. 26 and 32), and **DISMISSES** this civil action from the docket of the Court, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: October 20, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE